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U.S. House of Representatives

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MINORITY CHIEF COUNSEL

May 23, 2006

Floyd Williams
Director, Congressional Affairs
Internal Revenue Service
Department of the Treasury
111 Constitution Avenue, NW, Room 3000
Washington, DC 20224-0002

Dear Mr. Williams:

I write to request that the Internal Revenue Service (IRS) immediately respond to the National Association for the Advancement of Colored People's (NAACP) four outstanding information requests made pursuant to the Freedom of Information Act (FOIA). It is my understanding that while the first request was made more than a year ago in February 2005 and the last in June 2005, the NAACP has received only a partial response to its first information request and no responses to the other three requests.

In October and December of 2004, I wrote to express my outrage at the IRS's decision to initiate an investigation of the NAACP's tax-exempt status less than a week before the Presidential election and to ask a series of questions regarding the IRS audit investigation process. In the October letter, I, along with Representatives Fortney Pete Stark and John Conyers, Jr., demanded to know who requested that the IRS initiate an examination of the NAACP and when the decision to initiate an audit was made.

The NAACP has sought further information about the IRS's decision to audit the organization. Last year, the NAACP submitted four information requests under the FOIA. The first request was submitted on February 14, 2005. On February 22, 2005, the NAACP submitted two additional requests. Finally, on June 8, 2005, the organization submitted a fourth request. In March 2005, the NAACP received only a partial response to its first request for information. To date, the IRS has failed to fully respond to the NAACP's information requests. In fact, it is my understanding that the IRS has not communicated with the NAACP regarding the audit in other a year.

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As you are aware, Congress enacted the FOIA in 1966 to address constituent requests for documents. While Congress enacted the FOIA consistent with the belief that the people have the right to know about such documents, the Act exempts from disclosure nine categories of information.

Unfortunately, the important purpose of the FOIA is not being honored by the IRS. The NAACP has submitted numerous, legitimate requests for information pursuant to the FOIA. The IRS, however, has not responded to those information requests in a thorough and timely manner, and it has not stated that the information the NAACP requests is exempt from disclosure.

It has been 18 months since the IRS announced its decision to audit the NAACP. So that the audit may proceed and the NAACP may move from under a cloud of uncertainty, I call on the IRS to immediately respond to the NAACP's requests for documents.

Sincerely,

A handwritten signature in black ink, reading "Charles B. Rangel". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Charles B. Rangel
Ranking Democrat
Committee on Ways and Means